federally enforceable limitations on the potential to emit of certain pollutants regulated under the Clean Air Act. The USEPA proposes to approve Indiana's Enhanced NSR regulation as an acceptable mechanism to merge requirements of NSR and title V into one permitting process. Sources subject to the State construction permit rule will have the opportunity to satisfy its operating permit requirements by opting into this preconstruction rule. In the final rules section of this **Federal Register**, the USEPA is approving these actions as a direct final rule without prior proposal because USEPA views these as noncontroversial actions and anticipates no adverse comments. A detailed rationale for the approval is set forth in the direct final rule. If no adverse comments are received in response to that direct final rule, no further activity is contemplated in relation to this proposed rule. If USEPA receives adverse comments, the direct final rule will be withdrawn and all public comments received will be addressed in a subsequent final rule based on the proposed rule. The USEPA will not institute a second comment period on this notice. Any parties interested in commenting on this notice should do so at this time.

DATES: Comments on this proposed rule must be received on or before September 18, 1995.

ADDRESSES: Written comments should be mailed to: J. Elmer Bortzer, Chief, Regulatory Development Section, Regulatory Development Branch (AR–18J), U.S. Environmental Protection Agency, Region 5, 77 West Jackson Boulevard, Chicago, Illinois 60604.

Copies of the State submittal and USEPA's analysis of it are available for inspection at: Regulatory Development Section, Regulatory Development Branch (AR–18J), U.S. Environmental Protection Agency, Region 5, 77 West Jackson Boulevard, Chicago, Illinois 60604.

FOR FURTHER INFORMATION CONTACT: Sam Portanova, Environmental Engineer, Permits and Grants Section, Regulatory Development Branch (AR–18J), U.S. Environmental Protection Agency, Region 5, 77 West Jackson Boulevard, Chicago, Illinois 60604, (312) 886–3189.

SUPPLEMENTARY INFORMATION: For additional information see the direct final rule published in the rules section of this **Federal Register**.

Dated: July 20, 1995.

Valdas V. Adamkus,

Regional Administrator.

[FR Doc. 95–20483 Filed 8–17–95; 8:45 am]

BILLING CODE 6560–50–P

40 CFR Part 52

[CA 146–1–7134b; FRL–5272–3]

Approval and Promulgation of Implementation Plans; California State Implementation Plan Revision, San Joaquin Valley Nonattainment Area, Transportation Control Measure Replacement

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: EPA is proposing to approve revisions to the California State Implementation Plan (SIP) for ozone which concern a transportation control measure (TCM) to be implemented in the San Joaquin Valley ozone nonattainment area.

The intended effect of proposing approval of this SIP revision is to control emissions of ozone precursors and carbon monoxide in accordance with the requirements of the Clean Air Act, as amended in 1990 (CAA or the Act). In the Final Rules section of this **Federal Register**, the EPA is approving the state's SIP revision as a direct final rule without prior proposal because the Agency views this action as a noncontroversial revision amendment and anticipates no adverse comments. A detailed rationale for this approval is set forth in the direct final rule. If no adverse comments are received in response to this proposed rule, no further activity is contemplated in relation to this rule. If EPA receives adverse comments, the direct final rule will be withdrawn and all public comments received will be addressed in a subsequent final rule based on this proposed rule. The EPA will not institute a second comment period on this document. Any parties interested in commenting on this action should do so at this time.

DATES: Comments on this proposed rule must be received in writing by September 18, 1995.

ADDRESSES: Written comments on this action should be addressed to: Deborah Schechter, Mobile Source Section (A–2–1), Air and Toxics Division, U.S. Environmental Protection Agency, Region 9, 75 Hawthorne Street, San Francisco, CA 94105.

Copies of the SIP revision and EPA's evaluation of the SIP are available for public inspection at EPA's Region 9 office during normal business hours. Copies of the submitted SIP revision are also available for inspection at the following locations:

California Air Resources Board, 2020 ''L'' Street, Sacramento, CA 92123

San Joaquin Valley Unified Air Pollution Control District, 1999 Tuolomne Street, Suite #200, Fresno, CA 93721

FOR FURTHER INFORMATION CONTACT: Deborah Schechter, Mobile Source Section, A–2–1, Air and Toxics Division, U.S. Environmental Protection Agency, Region 9, 75 Hawthorne Street, San Francisco, CA 94105, Telephone: (415) 744–1227.

SUPPLEMENTARY INFORMATION: This document concerns a revision to the California SIP to implement the ''Railroad Grade Separations'' TCM in the San Joaquin Valley ozone nonattainment area which replaces a TCM that was never implemented from the 1982 California ozone and CO SIP for San Joaquin County. Because the design of the ''Railroad Grade Separations'' project is nearly complete, because the funding will be available and has been committed by the required agencies, and because the State submitted a fully approvable SIP revision, the EPA has decided to take direct final action approving the submittal in to the California SIP. For further details, please see the information provided in the direct final action which is located in the Rules Section of this **Federal Register**.

Authority: 42 U.S.C. 7401–7671q.

Dated: July 26, 1995.

Jeff Zelikson,

Acting Regional Administrator.

[FR Doc. 95–20448 Filed 8–17–95; 8:45 am]

BILLING CODE 6560–50–P

40 CFR Part 52

[LA–22–1–6870; FRL–5280–9]

Approval and Promulgation of Section 182(f) Exemption to the Nitrogen Oxides (NO_χ) Control Requirements for the Baton Rouge Ozone Nonattainment Area; Louisiana

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rulemaking.

SUMMARY: The EPA proposes to approve a petition from the State of Louisiana requesting that the Baton Rouge ozone nonattainment area be exempt from NO_X control requirements of section 182(f) of the Clean Air Act (CAA) as amended in 1990. The State of Louisiana bases its request for Baton Rouge upon a demonstration that additional NO_X reductions would not contribute to ozone attainment in the nonattainment area.

DATES: Comments on this proposed action must be received in writing on or before September 18, 1995.

ADDRESSES: Written comments on this action should be addressed to Mr. Thomas Diggs, Chief, Air Planning Section, at the EPA Regional Office listed below. Copies of the documents relevant to this proposed action are available for public inspection during normal business hours at the following locations. The interested persons wanting to examine these documents should make an appointment with the appropriate office at least 24 hours before the visiting day.

U.S. Environmental Protection Agency, Region 6, Multimedia Planning and Permitting Division, 1445 Ross Avenue, Suite 700, Dallas, Texas 75202–2733.

Louisiana Department of Environmental Quality, H. B. Garlock Building, 7290 Bluebonnet, Baton Rouge, Louisiana 70810.

FOR FURTHER INFORMATION CONTACT: Ms. Jeanne McDaniels or Mr. Quang Nguyen, Air Planning Section (6PD-L), Multimedia Planning and Permitting Division, U.S. EPA Region 6, 1445 Ross Avenue, Dallas, Texas 75202–2733, telephone (214) 665–7214.

SUPPLEMENTARY INFORMATION:

Background

NO_X are precursors to ground level (tropospheric) ozone, or urban ''smog.'' When released into the atmosphere, NO_X will react with volatile organic compounds (VOC) in the presence of sunlight to form ozone. Tropospheric ozone is an important factor in the nation's urban air pollution problem.

The 1990 Clean Air Act Amendments (CAAA) made significant changes to the air quality planning requirements for areas that do not meet the ozone NAAQS. Subparts 1 and 2 of part D, title I of the CAA as amended in 1990 contain the air quality planning requirements for ozone nonattainment areas. Title I includes new requirements to control NO_X emissions in certain ozone nonattainment areas and ozone transport regions. Section 182(f) requires States to apply the same requirements to major stationary sources of NO_X as are applied to major stationary sources of VOC. The new NO_X requirements are reasonably available control technology (RACT) and new source review (NSR). These provisions are explained more fully in the EPA's NO_X Supplement to the General Preamble published in the **Federal Register** (FR) on November 25, 1992 (see 57 FR 55620). In addition, the general and transportation conformity rules required by section 176(c) (see 58 FR 63214 and 58 FR 62188), and the vehicle inspection and maintenance (I/M) rules required by section 182(c)(3) (see 57 FR 52989) also contain new NO_X requirements.

Baton Rouge, Louisiana, was designated nonattainment for ozone and classified as serious pursuant to sections 107(d)(4) and 181(a) of the CAA. The Baton Rouge nonattainment area consists of the following parishes: East Baton Rouge, West Baton Rouge, Pointe Coupee, Livingston, Iberville, and Ascension. Under section 181(a), serious areas must attain the ozone NAAQS by 1999. Please reference 56 FR 56694 (November 6, 1991, codified for Louisiana at 40 Code of Federal Regulations 81.319).

Applicable EPA Guidance

The CAA specifies in section 182(f) that if one of the conditions listed below is met, the new NO_X requirements would not apply:

1. In any area, the net air quality benefits are greater without NO_X reductions from the sources concerned;
2. In a nontransport region, additional NO_X reductions would not contribute to ozone attainment in the nonattainment area; or
3. In a transport region, additional NO_X reductions would not produce net ozone benefits in the transport region.

In addition, section 182(f)(2) states that the application of the new NO_X requirements may be limited to the extent that any portion of those reductions are demonstrated to result in ''excess reductions'' of NO_X. The NO_X provisions of the conformity requirements would also not apply in an area that is granted a section 182(f) exemption (see 58 FR 63214 and 58 FR 62188). In addition, certain NO_X provisions of the I/M requirements would not apply in an area that is granted a section 182(f) exemption (see 57 FR 52989).

The EPA's *Guideline for Determining the Applicability of Nitrogen Oxides Requirements under Section 182(f)* (December 1993) describes how the EPA will interpret the NO_X exemption provisions of section 182(f). In addition, a memorandum signed by John S. Seitz, Director of the EPA Office of Air Quality Planning and Standards, dated May 27, 1994, and subsequent modifications to that memorandum, describe certain revisions to the process the EPA currently intends to follow for granting exemptions from NO_X control requirements.

As described more fully in the Seitz memorandum, petitions submitted under section 182(f)(3) are not required to be submitted as State Implementation Plan (SIP) revisions. Consequently, the State is not required under the CAA to hold a public hearing in order to petition for an areawide NO_X exemption determination. Similarly, it is not necessary to have the Governor submit the petition.

Although the May 27, 1994, Seitz memorandum includes, among the exemptions that may be submitted under section 182(f)(3), the NO_X requirements of both the general conformity rule (see 58 FR 63214) and the transportation conformity rule (see 58 FR 62188), the EPA is currently in the process of revising the transportation conformity rule to ensure consistency with section 176(c)(3). This impending rule revision will require areas subject to section 182(b)(1) (i.e., moderate, serious, severe, and extreme ozone nonattainment areas) to submit transportation conformity NO_X exemption requests as revisions to the SIP. All other NO_X exemptions (i.e., NO_X NSR, NO_X RACT, general conformity NO_X requirements, and I/M NO_X requirements) may still be submitted under section 182(f)(3). In this notice, the EPA is not proposing to approve an exemption from the transportation conformity NO_X requirements. Rather, this will be accomplished through subsequent rulemaking on a future SIP revision submitted by the State.

State Submittal

On November 17, 1994, the Louisiana Department of Environmental Quality (LDEQ) submitted to the EPA a petition pursuant to section 182(f) which requests that the Baton Rouge nonattainment area be exempted by the EPA from the NO_X control requirements of section 182(f) of the CAA.

The State bases its petition on an urban airshed modeling (UAM) demonstration that additional NO_X reductions would not contribute to attainment in the area. This modeling demonstrates, consistent with the EPA's December 1993 section 182(f) guidance, that decreases in ozone concentrations resulting from VOC reductions alone are equal to or greater than decreases obtained from NO_X reductions or a combination of VOC and NO_X reductions. The State's submission includes a letter from Gustave Von Bodungen, Assistant Secretary of the LDEQ, to Jane N. Saginaw, Regional Administrator of the EPA Region 6, requesting exemption from NO_X RACT and transportation conformity requirements for NO_X in the Baton Rouge ozone nonattainment area, along with a summary of modeling results.

The State of Louisiana also provided supplemental technical reports based on the modeling demonstration in the Baton Rouge post-1996 rate-of-progress (ROP) plan submitted to the EPA on November 15, 1994, pursuant to the requirements of section 182(c)(2)(B) of the CAA. These reports contained the following: base case model inputs, base case performance evaluation, 1999 emissions report, and attainment modeling report. These additional technical reports provided supplemental detail and documentation on the modeling information provided to the EPA in the State's petition. In addition, the State submitted follow-up letters to the petition to (1) provide revisions to several tables contained in the original petition and (2) broaden the scope of the original request to also include exemptions under section 182(f) for NO_X NSR, general conformity, and I/M NO_X requirements.

Analysis of State Submission

The following items are the basis for the EPA's action proposing to approve the State of Louisiana's section 182(f) NO_X exemption petition for the Baton Rouge ozone nonattainment area. Please refer to the EPA's Technical Support Document and the State's submittal for more detailed information.

A. Consistency With EPA Section 182(f) Guidance

Chapter 4 of the EPA's December 1993 section 182(f) guidance requires that photochemical grid modeling be used to simulate conditions resulting from three emission reduction scenarios: (1) Substantial VOC reductions; (2) substantial NO_X reductions; and (3) both VOC and NO_X reductions. To demonstrate that NO_X reductions would not contribute to attainment, the areawide predicted maximum 1-hour ozone concentration for each day modeled under scenario (1) must be less than or equal to that from scenarios (2) and (3) for the same day. Chapter 7 specifies that the application of UAM should be consistent with the techniques specified in the EPA ''Guideline on Air Quality Models (Revised),'' and ''Guideline for Regulator Application of the UAM (July 1991).'' In addition, Chapter 8 of the EPA's December 1993 section 182(f) guidance requires that the modeling simulating conditions from the NO_X emission reduction scenarios include NO_X emission increases after November 15, 1992, due to new or modified stationary sources of NO_X. (Many of these sources would be subject to the best available control technology requirement through the prevention of significant deterioration program, but not to NSR offsets.) As discussed in the next section, the State has met these requirements by using the UAM consistent with the EPA's guidance.

B. UAM Modeling Analysis

The LDEQ used UAM version IV, an EPA-approved photochemical grid model, to develop the attainment demonstration for the Baton Rouge area. The State's modeling activities were performed as outlined in the UAM modeling protocols, according to the EPA's ''Guideline for Regulatory Application of the Urban Airshed Model.'' A specific modeling protocol was developed by the State for its modeling activities. The State's modeling protocol was reviewed and approved by the EPA. The discussion below summarizes the EPA's analysis of how the State's modeling demonstrations complied with the EPA's guidance. Please refer to the EPA's Technical Support Document for more detailed information.

1. Episode Selection

The State used the EPA ''Guideline For Regulatory Application of The Urban Airshed Model'' to select episodes for use in the Baton Rouge UAM modeling exercises. Data from 1987 through 1991 were examined for episodes which cover at least 48 consecutive hours and the worst-case meteorological conditions. Three episodes were selected for the UAM analysis for the area.

2. Model Domain and Meteorological Input

The LDEQ used a sufficiently large modeling domain for Baton Rouge to ensure that the model captures the movement of ozone episodes as a result of the VOC and NO_X emissions emitted from the surface sources. Meteorological data were collected from numerous monitoring stations in the area. The LDEQ followed the methods described in the UAM user's guides to develop model inputs for wind field data, mixing heights, temperature, and meteorological scalars for the areas.

3. Emissions Inventory

The Baton Rouge modeling exercises were conducted using VOC and NO_X emission inventories compiled by survey and direct measurement by the LDEQ. The modeling emissions inventories are composed of point source, area, on-road mobile, off-road mobile, and biogenic emissions. Where applicable, emissions were adjusted for pertinent conditions related to the episode day to be modeled, thus producing day-specific emissions. The State followed the EPA's procedures for developing episode-specific emission inventories.

The EPA's section 182(f) guidance explains that, in general, the purpose of the section 182(f) requirements for NO_X is related to attainment of the ozone standard, which suggests that an analysis be focussed on the time that attainment of that standard is required. For the purpose of a section 182(f) modeling demonstration, this means that the projected emissions inventory for the attainment year should be used.

For Baton Rouge, the 1999 attainment year modeling inventory was developed from the 1990 base year emission inventory and adjusted to reflect the projected conditions for the attainment year. Demographic and econometric forecasting methods were employed to project activities levels to 1999, which, in turn, were used to develop a projected emissions inventory for 1999. The State then applied the VOC emission reductions that are projected to be realized through 1996 from the control regulations contained in the Baton Rouge 15 percent ROP SIP submitted to the EPA on November 15, 1994, and the NO_X controls implemented between 1990 and 1994 due to facilities' voluntary participation in the early NO_X reduction program. The 1999 inventories did not incorporate any additional NO_X emission reductions that would have been achieved through implementation of the NO_X RACT, NSR, general conformity, or NO_X-related I/M provisions.

4. Model Performance

For Baton Rouge, both graphical and statistical performance measures were used to evaluate the model. Using these analyses, the predicted results from the model were compared to the observed results for each episode. These analyses indicated that, overall, the model performed satisfactorily for the three episodes used for the UAM demonstration.

5. Section 182(f) Demonstration

The EPA's section 182(f) guidance requires the State to model three emission reduction scenarios to evaluate the benefits of NO_X reductions: (1) Substantial VOC reductions; (2) substantial NO_X reductions; and (3) both VOC and NO_X reductions.

For the section 182(f) demonstration, the LDEQ modeled the three emission reduction scenarios for all three episodes using the 1999 projected emission inventory, which includes the voluntary early (1990–1994) point

source NO_X reductions and the VOC emission controls to be implemented through 1996 (i.e., 15 percent ROP). The LDEQ modeled the scenarios using across-the-board reductions in the projected VOC and NO_X point source emission inventories. The State first modeled substantial NO_X and VOC emission reductions as follows: a 100 percent reduction in point source VOC emissions alone; a 100 percent reduction in point source NO_X emissions alone; and a 100 percent reduction in both VOC and NO_X emissions combined. This reduction represents approximately 46 percent of the total projected anthropogenic VOC emissions and approximately 57% of the total projected NO_X emissions. The State also modeled smaller across-the-board reductions in the projected VOC and NO_X point source emissions of 25%, 50%, and 75% separately and then combined in order to more accurately characterize near-term VOC and NO_X control scenarios.

As explained in the EPA's section 182(f) guidance, the EPA believes it is appropriate to focus this analysis on the areawide maximum 1-hour predicted ozone concentration, since this value is critical for the attainment demonstration. For all three episodes, the controlling day showed that the domain-wide predicted maximum ozone concentrations are lowest when only VOC reductions are modeled. In contrast, further NO_X reductions increase the domain-wide maximum ozone concentrations. Please refer to the EPA's Technical Support Document for more detailed information.

Proposed Rulemaking Action

In this action, the EPA proposes to approve the section 182(f) NO_X exemption petition submitted by the State of Louisiana for the Baton Rouge ozone nonattainment area. If finally approved, the exemption would stop the mandatory sanctions clock started on July 1, 1994, under section 179(a), as a result of the EPA's finding of failure to submit the NO_X RACT SIP. Pursuant to section 179(a), if within 18 months after the finding of failure to submit, the State has not made a complete submittal or received full approval for a section 182(f) NO_X exemption, the EPA would be required to impose the requirement to provide two-to-one NSR offsets. If the State has not corrected its deficiency within six months after imposing the offset sanction, the EPA would impose a second sanction, on highway funding. Any sanction the EPA imposes must remain in place until the EPA determines that the State has corrected the deficiency. In addition, the finding of failure to submit triggered the 24-month clock for the EPA to impose a Federal Implementation Plan as provided under section 110(c)(1) of the CAA. It should be noted that, if finally approved, the section 182(f) exemption would not affect any other sanctions clocks that might be running at that time for findings issued for other mandatory submittals.

The EPA believes that all section 182(f) exemptions that are approved should be approved only on a contingent basis. As described in the EPA's NO_X Supplement to the General Preamble (57 FR 55628, November 25, 1992), the EPA would rescind a NO_X exemption in cases where NO_X reductions were later found to be beneficial in the area's attainment plan. That is, a modeling based exemption would last for only as long as the area's modeling continued to demonstrate attainment without the additional NO_X reductions required by section 182(f).

If the EPA later determines that NO_X reductions are beneficial based on new photochemical grid modeling in an area initially exempted, the area would be removed from exempt status and would be required to adopt NO_X RACT and the NO_X provisions of the NSR, I/M, and general conformity rules except to the extent that modeling shows NO_X reductions to be ''excess reductions.'' In the rulemaking action which removes the exempt status, the EPA would specify a schedule for States to adopt the NO_X RACT and NSR rules and for sources to comply with the NO_X RACT emission limits.

In summary, the UAM modeling results for the Baton Rouge nonattainment area indicate that additional NO_X reductions as well as NSR control of any NO_X increases related to expected growth would not contribute to attainment of the ozone standard by 1999. The EPA therefore proposes to approve a NO_X exemption for the Baton Rouge area. This exemption will remain effective for only as long as modeling continues to show that NO_X control activities would not contribute to attainment in the Baton Rouge nonattainment area.

Request for Public Comments

The EPA requests comments on all aspects of this proposal. As indicated at the outset of this action, the EPA will consider any comments received by September 18, 1995.

Regulatory Process

Under the Regulatory Flexibility Act, 5 U.S.C. 600 et. seq., the EPA must prepare a regulatory flexibility analysis assessing the impact of any proposed or final rule on small entities (5 U.S.C. 603 and 604). Alternatively, the EPA may certify that the rule will not have a significant economic impact on a substantial number of small entities. Small entities include small businesses, small not-for-profit enterprises, and government entities with jurisdiction over populations of less than 50,000.

Approvals of NO_X exemption petitions under section 182(f) of the CAA do not create any new requirements. Therefore, because the Federal approval of the petition does not impose any new requirements, the EPA certifies that it does not have a significant impact on affected small entities. Moreover, due to the nature of the Federal-State relationship under the CAA, preparation of a regulatory flexibility analysis would constitute Federal inquiry into the economic reasonableness of State action. The CAA forbids the EPA to base its actions concerning SIP's on such grounds [*Union Electric Co.* v. *U.S. E.P.A.*, 427 U.S. 246, 256–66 (S. Ct. 1976); 42 U.S.C. 7410(a)(2)].

Unfunded Mandates

Under sections 202, 203, and 205 of the Unfunded Mandates Reform Act of 1995 (''Unfunded Mandates Act''), signed into law on March 22, 1995, EPA must assess whether various actions undertaken in association with proposed or final regulations include a Federal mandate that may result in estimated costs of $100 million or more to the private sector, or to State, local, or tribal governments in the aggregate.

EPA's proposed action would relieve requirements otherwise imposed under the CAA and, hence, would not impose any federal intergovernmental mandate, as defined in section 101 of the Unfunded Mandates Act. This action also would not impose a mandate that may result in estimated costs of $100 million or more to either State, local or tribal governments in the aggregate, or to the private sector.

Executive Order 12866

The Office of Management and Budget has exempted this action from review under Executive Order 12866.

List of Subjects in 40 CFR Part 52

Environmental protection, Air pollution control, Hydrocarbons, Intergovernmental relations, Nitrogen dioxide, Ozone, Volatile organic compounds.

Dated: August 14, 1995.

Carol M. Browner,

Administrator.

40 CFR part 52 is proposed to be amended as follows:

1. The authority citation for part 52 continues to read as follows:

Authority: 42 U.S.C. 7401–7671q.

Subpart T—Louisiana

2. Section 52.992 is proposed to be amended by adding paragraph (b) to read as follows:

§ 52.992 Area-wide nitrogen oxides (NO_X) exemptions.

* * * * *

(b) The LDEQ submitted to the EPA on November 17, 1994, a petition requesting that the Baton Rouge ozone nonattainment area be exempted from the NO_X control requirements of section 182(f) of the CAA. In addition, supplemental information was submitted to the EPA by the LDEQ on January 26, 1995, June 6, 1995, and June 16, 1995. The Baton Rouge nonattainment area consists of East Baton Rouge, West Baton Rouge, Point Coupee, Livingston, Iberville, and Ascension parishes. The exemption request was based on photochemical grid modeling which shows that reductions in NO_X would not contribute to attainment in the nonattainment area. On (insert date 60 days after date of final approval), the EPA approved the State's request for an areawide exemption from the following requirements: NO_X new source review, NO_X reasonable available control technology, NO_X general conformity, NO_X inspection and maintenance requirements.

[FR Doc. 95–20526 Filed 8–17–95; 8:45 am]

BILLING CODE 6560–50–P

---

40 CFR Parts 52 and 81

[LA–24–1–7026b; FRL–5277–4]

Approval and Promulgation of Implementation Plans and Designation of Areas for Air Quality Planning Purposes; State of Louisiana; Approval of the Maintenance Plans for the Parishes of Beauregard, Grant, Lafayette, Lafourche, and St. Mary; Redesignation of these Ozone Nonattainment Areas to Attainment

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rulemaking.

SUMMARY: On March 27, 1995, December 12, 1994, October 21, 1994, November 18, 1994, and November 23, 1994, the State of Louisiana submitted revised maintenance plans and requests to redesignate the ozone nonattainment areas of Beauregard, Grant, Lafayette, Lafourche, and St. Mary Parishes to attainment. These maintenance plans and redesignation requests were initially submitted to the EPA during the Summer of 1993. Although the EPA deemed these initial submittals complete, certain approvability issues existed. The State of Louisiana addressed these approvability issues and has revised its submissions. Under the Clean Air Act (CAA), nonattainment areas may be redesignated to attainment if sufficient data are available to warrant the redesignation and the area meets the other CAA redesignation requirements. In this action, EPA is proposing to approve Louisiana's redesignation requests because they meet the maintenance plan and redesignation requirements set forth in the CAA and EPA is proposing to approve the 1990 base year emissions inventory. The approved maintenance plans will become a federally enforceable part of the State Implementation Plan (SIP) for Louisiana.

In the Final Rules Section of this **Federal Register**, the EPA is approving these redesignation requests in a direct final rulemaking without prior proposal because the EPA views this action as noncontroversial and anticipates no adverse comments. A detailed rationale for the approval is set forth in the direct final rule. If no adverse comments are received in response to that direct final rule, no further activity is contemplated in relation to this rule. If the EPA receives adverse comments, the direct final rule will be withdrawn and all public comments received will be addressed in a subsequent final rule based on this proposed rule. The EPA will not institute a second comment period on this action. Any parties interested in commenting on this action should do so at this time.

DATES: Comments on this proposed rule must be received in writing by September 18, 1995.

ADDRESSES: Comments should be mailed to Thomas H. Diggs, Chief, Air Planning Section (6T-AP), U.S. EPA Region 6, 1445 Ross Avenue, Dallas, Texas 75202–2733. Copies of the State's petition and other information relevant to this action are available for inspection during normal hours at the following locations:

U.S. Environmental Protection Agency, Region 6, Air Programs Branch (6T–A), 1445 Ross Avenue, Suite 700, Dallas, Texas 75202–2733.

Louisiana Department of Environmental Quality, Office of Air Quality, P.O. Box 82135, Baton Rouge, Louisiana 70884–2135.

Anyone wishing to review this petition at the EPA office is asked to contact the person below to schedule an appointment 24 hours in advance.

FOR FURTHER INFORMATION CONTACT: Mr. Mick Cote, Planning Section (6T–AP), EPA Region 6, telephone (214) 665–7219.

SUPPLEMENTARY INFORMATION: See the information provided in the direct final rule which is located in the Rules Section of this **Federal Register**.

List of Subjects in 40 CFR Parts 52 and 81

Environmental protection, Air pollution control, Area designations, Hydrocarbons, Incorporation by reference, Intergovernmental regulations, National parks, Reporting and recordkeeping, Ozone, Volatile organic compounds, Wilderness areas.

Authority: 42 U.S.C. 7401–7671q.

Dated: July 21, 1995.

A. Stanley Meiburg,

Acting Regional Administrator (6A).

[FR Doc. 95–20190 Filed 8–17–95; 8:45 am]

BILLING CODE 6560–50–P

---

40 CFR Parts 52 and 81

[TN 141–1–6986b; FRL–5277–8]

Clean Air Act Approval and Promulgation of Redesignation of the Rossville Area of Fayette County, Tennessee, to Attainment for Lead

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: The EPA proposes to approve the State Implementation Plan (SIP) revision submitted by the State of Tennessee for the purpose of redesignating the Fayette County area to attainment for lead. In the final rules section of this **Federal Register**, the EPA is approving the State's SIP revision as a direct final rule without prior proposal because the Agency views this as a noncontroversial revision amendment and anticipates no adverse comments. A detailed rational for the approval is set forth in the direct final rule. If no adverse comments are received in response to that direct final rule, no further activity is contemplated in relation to this proposed rule. If EPA receives adverse comments, the direct final rule will be withdrawn and all public comments received will be addressed in a subsequent final rule